

AMENDED IN ASSEMBLY MARCH 29, 2005

CALIFORNIA LEGISLATURE—2005—06 REGULAR SESSION

ASSEMBLY BILL

No. 1196

**Introduced by Assembly Member Coto
(Principal coauthor: Assembly Member Yee)**

February 22, 2005

An act to add Article 6 (commencing with Section 51460) to Chapter 3 of Part 28 of the Education Code, relating to instructional programs.

LEGISLATIVE COUNSEL'S DIGEST

AB 1196, as amended, Coto. Instructional programs: State Seal of Biliteracy.

Existing law sets forth various requirements for the issuance of diplomas, certificates, or other documents conferred upon a pupil as evidence of completion of a prescribed course of study, including, among other courses of study, graduation from high school. Existing law establishes the Golden State Seal Merit Diploma for the purpose of recognizing pupils who have mastered the high school curriculum.

This bill would establish the State Seal of Biliteracy to recognize high school graduates who have mastered speaking, reading, and writing skills in ~~two~~ *one* or more languages, in addition to English. The State Seal of Biliteracy would be awarded jointly by the Superintendent of Public Instruction and the Governor. The bill would require the State Department of Education to provide information to school districts so that the school districts can maintain pupil records and identify pupils who qualify for the seal, and to prepare and deliver to school districts the seal insignias. The bill would require each school district that awards high school diplomas *and elects to participate in the program* to maintain records in order to identify

pupils who have earned a State Seal of Biliteracy and to affix an appropriate insignia to the diploma ~~and or~~ transcript of each pupil ~~that who~~ earns a State Seal of Biliteracy. ~~By imposing additional responsibilities on school districts, this bill would create a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: ~~yes~~ *no*.

The people of the State of California do enact as follows:

- 1 SECTION 1. (a) The Legislature finds and declares all of the
- 2 following:
- 3 (1) U.S. Senate Resolution 170 has declared 2004 and 2005 as
- 4 “the Years of Foreign Language Study,” and encourages
- 5 initiatives to promote and expand the study of foreign languages
- 6 in elementary and secondary schools because foreign language
- 7 study makes important contributions to a pupil’s cognitive
- 8 development, our national economy, and our national security.
- 9 (2) Multiple languages are a critical element in enabling
- 10 California to participate effectively in a global political, social,
- 11 and economic context, and in expanding trade with other
- 12 countries, including those in Latin America and the Pacific Rim,
- 13 and California's economic well-being depends heavily on foreign
- 14 trade and international exchange.
- 15 (3) The demand for employees to be fluent in more than one
- 16 language is increasing both in California and throughout the
- 17 world.
- 18 (4) California is the receiving state for immigrants from all
- 19 over the world and is home to speakers from hundreds of
- 20 different language and cultural groups.
- 21 (5) California's diverse heritage is and has always been rich in
- 22 multiple languages and cultures, and to protect that heritage, and

1 to build trust and understanding across the multiple language and
2 cultural groups in our diverse communities, requires multilingual
3 skills of communication.

4 (6) The California Master Plan for Education calls for pupils
5 to graduate literate in two or more languages, and the child who
6 knows more than one language enjoys advantages that will
7 continue throughout life, including the educational/intellectual
8 advantages of greater mental flexibility, pattern recognition, and
9 problem solving, as well as increased advantages in the job
10 market.

11 (7) One in four (26 percent) California children ages 5 to 17
12 years, inclusive, are bilingual, ~~they speak English very well~~
13 *effectively communicating in English* and another language with
14 their family, and one in four K–12 pupils are English learners
15 (1.5 million).

16 (8) California has been a national leader in the development of
17 the highly effective dual language immersion program model,
18 now has 189 two-way immersion programs throughout the state,
19 and pupils who graduate from two-way immersion programs
20 *currently* receive no formal recognition of their biliteracy skills.

21 (9) Despite the need for foreign language skills, the number of
22 high school pupils in California enrolled in foreign language
23 classes has been dwindling.

24 (10) Maintenance of the ~~family~~ *heritage* language is the core
25 to strengthening family communication and connection across
26 the generations.

27 (b) It is the intent of the Legislature to promote the
28 development of literacy in ~~two~~ *one* or more languages and to
29 provide recognition of the attainment of such needed and
30 important skills through the establishment of a State Seal of
31 Biliteracy on the high school diplomas *or transcripts* of pupils
32 attaining proficiency in two or more languages.

33 SEC. 2. Article 6 (commencing with Section 51460) is added
34 to Chapter 3 of Part 28 of the Education Code, to read:

35
36 Article 6. State Seal of Biliteracy
37

38 51460. (a) The State Seal of Biliteracy is hereby established
39 to recognize high school graduates who have ~~mastered~~ *attained*
40 *functional proficiency in speaking, reading, and writing skills in*

1 ~~two~~ one or more languages, in addition to English. The State Seal
2 of Biliteracy shall be awarded jointly by the Superintendent and
3 the Governor. *School district participation in this program is*
4 *voluntary.*

5 (b) The purposes of the State Seal of Biliteracy are as follows:

6 (1) To encourage California pupils to develop biliteracy skills.

7 ~~(2) To change the paradigm about language diversity to an~~
8 ~~asset orientation.~~

9 ~~(3)–~~

10 (2) To certify oral communication and literacy skills in ~~two~~
11 *one* or more languages so businesses and employers can identify
12 people with ~~needed~~ *language and biliteracy* skills.

13 ~~(4)–~~

14 ~~(3) To make a symbolic commitment to honor~~ California's rich
15 and diverse language assets.

16 ~~(5)–~~

17 (4) To encourage the development of two-way immersion
18 ~~programs, foreign and second language programs, and heritage~~
19 *programs and foreign, native, and heritage* language programs in
20 California K–12 schools.

21 ~~(6)–~~

22 (5) To revitalize “foreign” language instruction in California
23 schools.

24 ~~51461. A pupil who completes all requirements for a high~~

25 *51461. Pupils who complete requirements for a high* school
26 diploma and who ~~meets one of~~ *meet* the following requirements
27 shall qualify for a State Seal of Biliteracy:

28 ~~(a) Scores 3 or higher on an advanced placement test of~~
29 ~~foreign language.~~

30 ~~(b) Achieves English proficiency at advanced level on the~~
31 ~~California English Language Development Test.~~

32 ~~(c) Successful completion of four years of language study in~~
33 ~~high school of a language other than English.~~

34 ~~(d) Successful completion of a bilingual program in~~
35 ~~kindergarten or grades 1 to 12, inclusive.~~

36 *(a) If a pupil's primary language is English, he or she shall do*
37 *all of the following:*

38 *(1) Attain the “PROFICIENT” level on the California*
39 *Standards Test in English.*

1 (2) *Successfully complete four years of language study of a*
2 *language other than English during high school.*

3 (3) *Pass an Advanced Placement (AP) test in a foreign*
4 *language.*

5 (b) *If a pupil's heritage language is other than English, he or*
6 *she shall do all of the following:*

7 (1) *Attain the "PROFICIENT" level on the California*
8 *Standards Test in English.*

9 (2) *Attain the "ADVANCED PROFICIENCY" level on the*
10 *California English Language Development Test.*

11 (3) *Pass the AP test in the pupil's heritage language.*

12 (c) *For languages in which an AP test is not available, the*
13 *Superintendent shall provide a listing of equivalent summative*
14 *tests that school districts may use.*

15 51462. Under the policy direction of the Superintendent, the
16 department shall do the following:

17 (a) Provide timely information to school districts so that
18 school districts can maintain pupil records and identify pupils
19 who meet the requirements of the State Seal of Biliteracy.

20 (b) Prepare and deliver to school districts an appropriate
21 insignia to be affixed to the diploma ~~and~~ *or* transcript of the pupil
22 indicating that the pupil has been awarded a State Seal of
23 Biliteracy by the Superintendent and the Governor.

24 51463. Each school district that confers high school diplomas
25 *and elects to participate in this program* shall maintain
26 appropriate records in order to identify pupils who have earned a
27 State Seal of Biliteracy and shall affix the appropriate insignia to
28 the diploma ~~and~~ *or* transcript of each pupil ~~that~~ *who* earns a State
29 Seal of Biliteracy.

30 51464. (a) It is the intent of the Legislature that no fee or
31 other cost be charged to any pupil pursuant to this article.
32 However, notwithstanding any other provision of law, a school
33 district receiving funds pursuant to Chapter 1 (commencing with
34 Section 54000) of Part 29 may expend any portion of those funds
35 to pay for all or part of the costs of one or more examinations
36 pursuant to this article that are charged to economically
37 disadvantaged pupils.

38 (b) An economically disadvantaged pupil means a pupil from
39 a family that receives Aid to Families with Dependent Children.

CORRECTIONS:
Text- Pages 2, 3, and 4.

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